

REMARKS

This application has been carefully reviewed in light of the Office Action dated June 22, 1998. Claims 1-10 remain pending, with Claims 1-3 and 6-8 having been amended in terms which more clearly define the present invention. New Claims 11-24 have been added to provide Applicant with a more complete scope of protection. Claims 1, 6, 11 and 18 are independent. Favorable reconsideration is requested.

In the Office Action, Claims 1-10 were rejected under 35 U.S.C. § 103 as obvious over U.S. Patent No. 5,661,568 (Ueno).

As shown above, Applicant has amended independent Claims 1 and 6, and has drafted new independent Claims 11 and 18, in terms which more clearly define the present invention, and submits that the pending claims are patentably distinct from the cited prior art for the following reasons.

The present invention as defined in amended independent Claim 1 is directed to a communication apparatus having two data modems and two protocol modems, and which is capable of executing plural kinds of communication protocols using these modems. The communication protocols include a first communication protocol for setting an operation mode of the first data modem to communicate data by using the first protocol modem to communicate protocol signals, and a second communication protocol for setting the second data modem to

communicate data by using the second protocol modem to communicate protocol signals.

The apparatus then further includes a first detection means which detects a call signal, and a second detection means which detects ID information for identifying a partner station sent between call signals. A memory means stores information of a communication system of the partner station in association with the ID information of the partner station, a reading means reads the information of the communication system for detected ID information of the partner station from the memory means in accordance with the ID information of the partner station detected by the second detection means at the time of the detection of the call signal, and selects one of the first and second communication protocols to be executed in accordance with the read information of the communication system.

Amended independent Claim 6 is a method claim corresponding to amended Claim 1.

Ueno, which is assigned in common with the present application, is directed to a data communication apparatus that responds to a call signal, i.e. in reception, and then detects information identifying a communication function of the partner (destination) station transmitted from the partner station. More specifically, the sending station stores the communication history and checks the stored information prior to sending the calling signal (col. 4, line

66-col. 5, line 17). Then, as shown in Fig. 5 which illustrates reception, the receiving station checks to see if a normal DCS signal is received (step S103). If yes, then normal reception proceeds (step S106); if no, then high speed signals in an abbreviated protocol are looked for (step S108).

Thus, Applicant submits that Ueno fails to teach the memory means of Claim 1, which is found in the receiving station.

Moreover, the information received by the receiving station (the normal DCS or absence thereof) identifies a function of the sending station (i.e. whether it uses the abbreviated protocol); it is not ID information that identifies the sending station itself. Accordingly, Applicant submits that in Ueno the receiving station does not receive the type of information recited in amended Claim 1 used to search a memory, nor does it include the memory in which information of the communication systems for the different partner stations (e.g. protocols) may be searched for on the basis of ID information of the transmitting partner station.

Accordingly, Claims 1 and 6 are believed to be patentably distinguished from the cited prior art of record.

The present invention as defined in new Claim 11 is directed to a communication apparatus having a plurality of modems for executing plural types of communication protocols

for image communication. The apparatus comprises detection means for detecting reception of a call signal, receiving means for receiving ID information for identifying a partner station transmitted at a time of reception of the call signal, and selection means for selecting, on the basis of ID information that is received by the receiving means after the detection means detects reception of the call signal, at least one of the plurality of modems. The apparatus then includes communication means for conducting communication with the partner station using a protocol corresponding to the at least one modem selected by the selecting means.

Thus, as in amended Claim 1, Claim 11 recites a communication apparatus that, in reception, receives ID information of the transmitting apparatus and uses that ID information to determine the modem and corresponding protocol. Therefore, Applicant submits that Claim 11 and corresponding new independent method Claim 18 are patentably distinct from Ueno for the same reasons as Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks,
Applicant respectfully requests favorable reconsideration and
early passage to issue of the present application.

Applicant's undersigned attorney may be reached in
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below.

Respectfully submitted,

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